

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Attorney Mortimer, Steven R. (for Administrator Roque Rodriguez)

Probate Status Hearing Re: Filing Proof on Increased Bond

DOD: 12/15/1995	Trobate orange from the street of the street	NEEDS/PROBLEMS/COMMENTS:
DOD. 12/15/1775		NEEDS/FROBLEMS/COMMENTS.
		OFF CALENDAR
		OII CALLINDAK
		Diday Inaya waina Dand filad
Cont. from		Rider Increasing Bond filed
Aff.Sub.Wit.		8/31/2015.
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LEG
Status Rpt		Reviewed on: 9/11/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 1 – Rodriguez

Attorney Rube, Melvin K. (for Administrator Mardell E. Stovall)

Probate Status Hearing For Failure to File the Inventory and Appraisal and Failure to File the First Account or Petition for Final Distribution

DC	DD: 1/31/1997		MARDELL E. STOVALL, daughter, was	NEEDS/PROBLEMS/COMMENTS:
	ont. from		appointed Administrator with Full IAEA authority without bond on 1/12/2007, and Letters issued on that date.	1. Status Report filed on 9/3/2015 is not verified pursuant to Probate Code § 1021, CA Rule of Court 7.103 and Local Rule 7.5.
	Aff.Sub.Wit. Verified Inventory PTC Not.Cred.	X	Notice of Status Hearing filed 7/16/2015 set a status hearing on 9/16/2015 for failure to file the inventory and appraisal and failure to file a fist account or petition for final distribution.	2. Status Report filed 9/3/2015 appears to be presented as a petition for relief, i.e., to be relieved as attorney of record, which would require payment of a filing fee.
	Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order		 Status Report of Melvin K. Rube filed 9/3/2015 states: At the time the petition for letters of administration was granted and letters were issued to Mardell E. Stoval, the estate contained no assets; The purpose of establishing an estate was to allow Mardell Stovall as Administrator of the estate to filed petition to determine succession to real property on North Avenue in Fresno, owned by MOSES RANDOLPH at his death but was never probated; Decedent was the sole surviving heir of Moses Randolph; 	3. A Motion to be Relieved as Counsel has not been filed by Attorney Rube. Further, if the Court considers the Status Report filed 9/3/2015 as such a request by Attorney Rube, and he is relieved as counsel, no person will exist to close this apparently insolvent estate, as the personal representative is deceased. Probate Code § 10953(c) provides if a personal representative dies and no legal representative is appointed for the deceased personal representative, the court may compel the attorney for the deceased personal representative or the attorney of record in the estate proceeding to file an account of the administration of the deceased personal
	Aff. Posting		He believes that Mardell Stoval developed cancer subsequent to	representative. Reviewed by: LEG
√	Status Rpt		the issuance of Letters to her on	Reviewed by: ELG
	UCCJEA		1/12/2007, and did not want to deal with legal proceedings until	Updates:
	Citation		after her treatment for the cancer	Recommendation:
	FTB Notice		was completed; • return the inventory and appraisal (copy of letter to Mr. Diebert attached); ~Please see additional page~	File 2 – Horton

2 Additional Page, Dorothy Horton (Estate)

Case No. 06CEPR01191

Status Report of Melvin K. Rube filed 9/3/2015, continued:

- On 2/18/2008, he submitted an Inventory and Appraisal and cover letter to Probate Referee
 STEVEN DIEBERT for the purpose of attaching the completed inventory and appraisal to the
 petition to determine succession that Mardell Stoval was going to file in order to have the real
 property conveyed to the Estate of Dorothy Horton; for some reason, Steven Diebert did not
- From ~March 2008 through spring 2009, he was dealing with a recurrence of his wife's brain cancer and ultimate death in January 2009 and was not diligent in following up in this case, and he takes full responsibility for this inaction;
- On 7/7/2009, he followed up with Mr. Diebert and submitted another Inventory and Appraisal and cover letter to Mr. Diebert (copy attached), and the inventory and appraisal was immediately completed by Mr. Diebert and returned to his office;
- He prepared the petition to determined succession after receiving the inventory and appraisal from Mr. Diebert, and attempted to contact Mardell Stoval by telephone so that she could sign the petition;
- After numerous attempts to reach Mardell Stoval by telephone, he sent the petition to her and his letter dated 7/29/2009 (copy attached);
- On 8/20/2009, Mardell Stoval, as Administrator of the Estate of Dorothy Horton, filed a petition to determine succession in the Estate of Moses Randolph, Case #09CEPR00689, with an attached inventory and appraisal of the real property (copy of inventory and appraisal attached);
- On 10/2/2009, the Court granted the petition to determine succession in Case #09CEPR00689 (copy of order attached); he did not learn until several months later that Mardell Stoval had died;
- On 5/26/2011, he met with ALEX WILLIAMS, a child of Decedent Dorothy Horton, and sister of Mardell Stovall, and CLIFTON FRANKLIN, grandchild of Decedent Dorothy Horton, and discussed with them that they or someone else had to filed a petition to become successor administrator and the estate brought to a close; neither one of them wanted to file but told me they would get back to him, which they never did;
- On 10/10/2012, he sent a letter to all beneficiaries of the estate explaining one of them needed to become successor administrator and the estate brought to a close (copy of letter attached), and he received no response to that letter;
- He met with Alex Williams on 8/17/2015 in response to a phone call to him on 8/13/2015, and he
 was not inclined to become successor administrator; he sent another letter to all beneficiaries on
 8/17/2015 with a copy of the Notice of Status Hearing [filed 7/16/2015]; as of the date of this status
 report [9/3/2015] he has received no response;
- This case is fraught with complications; the only asset of the estate is the real property on North Avenue in Fresno which is encumbered with unpaid sewer liens and tax defaults and notices of nuisance abatement;
- Since Mardell Stovall survivied Dorothy Horton, the interest of Mardell Stovall in the subject real property would have to pass to her estate;
- He is informed that the Estate of Mardell Stoval has never been probated, so an estate for her would have to first be established, which he has no control over;
- He would like to be relieved as attorney of record in this case as the person who retained him, Mardell Stovall, is deceased, and if any one of the beneficiaries of Dorothy Horton requested his representation of them as the successor administrator of this case, he would decline;
- He hereby waives any and all attorney's fees to which he is entitled.

6 Cynthia Carla Chavez (CONS/PE)

Case No. 12CEPR00809

Attorney: Catherine A. Amador (for former Conservators of the estate and current conservators of the person Manuel Chavez and Susan Chavez-Leon)

Attorney: Heather H. Kruthers (for current Conservator of the estate, Public Guardian)

Sixth Amended First Account and Report of Conservators; Petition for Allowance of Fees to Attorney for Conservators.

	MANUEL CHAVEZ, father, and SUSAN	NEEDS/PROBLEMS/COMMENTS:
	CHAVEZ-LEON, sister, Co-Conservators	
	of the Person and Estate, are	Continued from 6/24/15. Minute
	Petitioners.	order states the Court Orders Ms.
Cont. from 062415		Amador to file any additional papers
Aff.Sub.Wit.		that may assist the Court in ruling on the Sixth Amended First Account by
Verified		9/2/15. The Court further orders the
Inventory		Public Guardian to review the Sixth
PTC		Amended Account and make any
Not.Cred.		and all recommendations to the
Notice of		Court regarding its settlement and/or
Hrg		surcharges to be imposed against the former conservators, and to file
Aff.Mail		said report by 9/2/15. As of 9/10/15
Aff.Pub.		no additional documents have been
Sp.Ntc.		filed.
Pers.Serv.		
Conf.		Note: Manual Chavez and Susan
Screen		Chavez-Leon were removed as Co-
Letters		Conservators of the Estate and the
Duties/Supp		Public Guardian appointed by
Objections		minute order dated 12/11/15.
Video		Upon cursory review, the sixth
Receipt		amended first account does not
CI Report		balance. Charges total
9202		\$321,123.66 and Credits total
Order		\$317,826.30. Property on hand at
		the end of the account period totals \$237.282.98. Therefore
		examiner has not reviewed the
		rest of the pleadings.
A# Posting		Paviawad by VT
Aff. Posting		Reviewed by: KT Reviewed on: 9/10/15
Status Rpt UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 6 - Chavez

7A Atty Guadalupe H. Teixeira (Estate)

Docker, William F. (for Executor Carol Goulart)

[First] Report of Status of Administration of Estate [Probate Code §12200]

	D 0/04/10		[Tilst] Report of States of Administration of Estate [Trobat	
DO	D: 8/24/12		CAROL GOULART , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
			I&A: \$1,850,310.00 consisting of various real property interests	Note: This first "Report of Status"
Cont. from 101614, 031215		4,	Petitioner states that since the Executor is not yet in a position to close and distribute the estate, she has filed	was filed 9/5/14 and cont. to 9/16/15.
~	Aff.Sub.Wit.		this Report of Administration. The beneficiaries according to the decedent's will are Petitioner and her brother Anthony Teixeira.	On 3/4/15, Petitioner filed a "Second Report of Status"
	Inventory PTC		Creditor's Claims have been filed by State of California Franchise Tax Board, California Home for the Aged, and	that was cont. to 9/16/15.
>	Not.Cred. Notice of		Pharmerica. The Executor also filed, but subsequently withdrew, a Creditor's Claim on her own behalf.	Therefore, Please see Page B for more
→	Hrg Aff.Mail	W	Petitioner believes the amount owed to the California Franchise Tax Board is not nearly as much as asserted	recent information.
	Aff.Pub.		on the claim, and Executor is attempting to put together Decedent's tax records to show that. The	
	Sp.Ntc. Pers.Serv.		other two claims have been rejected by the Executor pursuant to applicable law, and the creditors did not	
	Conf. Screen		file suit thereafter; therefore, the claims are now barred. Petitioner states that unless she can prove a lesser	
	Letters		amount is owing, the amount of tax debt is	
	Duties/Supp		approximately \$19,500.00, plus interest. Executor intends to waive her statutory commission, and her attorney's	
	Objections		commission will amount to approximately \$31,500.00.	
	Video Receipt		Expenses of administration will amount to approximately \$3,500.00. Assuming no extraordinary fees are incurred	
	CI Report		in the ongoing administration, it appears the cash	
	9202		needed to meet debts and administrative expenses will	
~	Order Aff. Posting		be approximately \$54,500.00.	Paviawad by sko
	Status Rpt		Petitioner states she has engaged in discussion with her uncles, who each own an undivided interest in the real	Reviewed by: skc Reviewed on:
	•		property in Santa Clara, with respect to one or the other or both of them purchasing the estate's interest in the	9/11/15
	UCCJEA Citation		property, which would be more than ample to meet	Updates: Recommendation:
	FTB Notice		the administrative cash requirements of the estate and facilitate distribution of the estate between the beneficiaries. Executor therefore seeks more time to work out a deal or to otherwise borrow against the estate's interest or possibly file a partition action to force a sale of the real estate.	File 7B - Teixeria
			Petitioner states keeping the estate open over the near- term is not harmful to the estate or beneficiaries and will allow Petitioner time to compile the delinquent income taxes and come up with a way to generate sufficient liquidity to enable the settlement and final distribution thereof.	
			Petitioner prays for an order that administration continue for a period of six months, after which time a Petition for Distribution or a Status Report will be filed.	

Atty

Docker, William F. (for Executor Carol Goulart)
Second Report of Status of Administration of Estate [Probate Code §12200]

DOD: 8/24/12			CAROL GOULART , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
	1.5.04001		I&A: \$1,850,310.00 consisting of various real property interests.	
Co	nt. from 04201			
	Aff.Sub.Wit.		Petitioner states the estate is not yet in a	
>	Verified		position to close, but she has made	
	Inventory		significant progress toward that objective and she believes she will complete the tasks	
	PTC		which will allow her to file a Petition for	
	Not.Cred.		distribution in the near-term. The estate	
~	Notice of		owns a 1/6 undivided interest in real	
	Hrg		property in Santa Clara, and the majority	
>	Aff.Mail	W	owners are negotiating a private sale of the	
	Aff.Pub.		property. Should the sale occur, the estate	
	Sp.Ntc.		would be in possession of ample funds to pay the FTB claim and administration	
	Pers.Serv. Conf. Screen Letters		expenses to close the estate. If the property	
			does not sell in the near-term, one of the	
			co-owners is willing to advance funds to the	
			estate for administrative expenses and debt	
	Duties/Supp		and to treat the funds as an advance	
	Objections		against the estate's share of the sale	
	Video		proceeds. Keeping the estate open in the near-term is not harmful to the estate or	
	Receipt		beneficiaries and Petitioner expenses to	
	CI Report		have completed tax returns and collected	
	9202		funds to pay delinquent tax within the next	
~	✓ Order		90 days.	
	Aff. Posting Status Rpt UCCJEA			Reviewed by: skc
			Petitioner prays for an order that the	Reviewed on: 9/11/15
			administration of the estate continue for a period of three months after which time the	Updates:
	Citation		petition either file a petition for distribution	Recommendation:
	FTB Notice		or subsequent status report. File 7B - Teixeria	

Case No. 14CEPR00512

Attorney Waite, Liana M. (Attorney Administrator with Will Annexed)

Status RE: Filing of the First Account and/or Petition for Final Distribution

DOD: 9/26/13 LIANA M. WAITE, Daughter, was appointed Administrator with Will Annexed with Full IAEA without bond on 7/15/14. Letters issued 7/17/14.	DS/PROBL Need first distributio
appointed Administrator with Will Annexed with Full IAEA without bond on 7/15/14. Letters issued 2.	distributio
	Examiner details wit
Aff.Sub.Wit. At the hearing on 7/15/14, the Court set this status hearing re	The intesto been the However, various he
filing the first account or petition for final distribution.	certain as disclaimir
PTC Status Report filed 9/4/15 states	First, Exan disclaimir
Notice of creditor's claims and notices of tax liens have been filed by the	Second, p issue of th heirs to th
Aff.Mail California Franchise Tax Board in connection unfiled personal and business tax returns of the	Also, Adm
Sp.Ntc. Pers.Serv. Dosiness tax returns of the decedent from 2010-2012. Administrator believes the tax	\$135,000 (vehicle vo secured lo
Conf. liabilities will be substantially less than the claimed amounts once	property, insufficien
Letters returns have been processed. Additional claims have also been	Three of the the home court auth
Objections filed, secured and unsecured.	indicate if
Video Administrator describes the assets and states disclaimers	paid off b in the pro- that daug
CI Report	Court may
Order assets. Administrator intends to file a request with the Court for permission to purchase the residential real property of the estate in joint tenancy with her sister. However, the estate is of insufficient value to satisfy all filed creditor's claims and tax liabilities.	claims ag Further, it claims mo others ren referred to regard to denying of require cla Probate O priority cla In light of to review Probate O
Aff. Posting Administrator has determined that the tax liens/liabilities must	viewed by:
Status Rpt be resolved prior to preparation Rev	viewed on:
UCCJEA of a final petition, and requests Upo	dates:
	commend
FTB Notice until late March 2016 for resolution of those tax liabilities.	8 - Sena

NEEDS/PROBLEMS/COMMENTS:

- Need first account or petition for final distribution.
- Examiner notes the following additional details with regard to the status report:

The intestate heirs to this estate would have been the decedent's seven children. However, the status report describes that various heirs have disclaimed their interest in certain assets of the estate, some disclaiming their interest in all assets.

First, Examiner is unaware of authority for disclaiming interest in only certain assets.

<u>Second, pursuant to Probate Code §282, the issue of the various disclaimants are now heirs to the estate in their place.</u>

Also, Administrator also describes that the estate consists of a residence valued at \$135,000 (encumbered for \$100,000) a vehicle valued at \$3,000 (subject to a secured loan for \$4,700), and misc. personal property, and states that the estate is insufficient to satisfy the various claims.

Three of the decedent's daughters reside in the home and intend to purchase it upon court authorization. Administrator does not indicate if they are paying rent to the estate.

Administrator states the vehicle loan was paid off by one of the daughters, and she is in the process of transferring the vehicle to that daughter under DMV guidelines. The Court may require clarification or authority for this proposed action, given the numerous claims against the estate.

Further, it appears that some of the creditor's claims may have been paid in full, while others remain unpaid. First, Administrator is referred to Probate Code §9000 et seq., with regard to the process for approving or denying claims, and § The Court may require clarification with reference to Probate Code §11420(b) with regard to debt priority classes.

In light of the above, Administrator may wish to review proposed actions with applicable Probate Code and duties.

Reviewed by: skc
Reviewed on: 9/11/15
Updates:
Recommendation:

A. M. Foster (Estate) Case No. 14CEF
Re: the Filing of the First Account and/or Petition for Final Distribution **Probate Status Hearing**

	ke. The filling of the filst Account ana/of Fe	Ellion for final bisinbolion
Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
		OFF CALENDAR
Cont. from		Order Settling Final Account was
Aff.Sub.Wit.		entered 3/15/15.
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 9/11/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 9 – Foster

9

Rafaela C. Tristan Escobar (Estate) Ramirez, Edward R., Jr. (for Administrator Elisa T. Simpson)

Case No. 14CEPR00592

Probate Status Hearing RE: First Account and Petition for Final Distribution

DOD: 4/6/07	ELISA T. SIMPSON, Daughter, was	NEEDS/PROBLEMS/COMMENTS:
	appointed Administrator with Full IAEA	
	without bond on 8/13/14. Letters issued	Need first account or petition for
	9/2/14.	final distribution or written status
	At the hearing on 8/13/14, the Court set	report per Local Rule 7.5.
Aff.Sub.Wit.	this status hearing for the filing of the first	
Verified	account or petition for final distribution.	
Inventory		
PTC		
Not.Cred.		
Notice of]	
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202	_	
Order	_	
Aff. Posting		Reviewed by: skc
Status Rpt	-	Reviewed on: 9/11/15
UCCJEA		Updates:
Citation	-	Recommendation:
FTB Notice		File 10 – Escobar

Hiyama, Dean (for Clark Smith – Administrator)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 9/11/14	CLARK SMITH, Brother, was appointed	NEEDS/PROBLEMS/COMMENTS:
	Administrator with Full IAEA without	
	bond on 10/27/14.	1. Need Final Inventory and
	=	Appraisal pursuant to Probate
2 1 1 22221	The Court set status hearing for 3/2/15	Code §8800 or current written
Cont. from 030215	To the lining of the little fill of and	status report per Local Rule 7.5.
051315	Appraisal, which was continued to	
Aff.Sub.Wit.	5/13/15.	
Verified	Status Banari filed / /22/15 states they	
Inventory	Status Report filed 6/23/15 states they are still in the process of reviewing and	
PTC	verifying all of the title information, etc.,	
Not.Cred.	for the real property. An appraisal from	
Notice of	a private firm is expected to take	
Hrg	approx. 60 days; therefore, 90 days is	
Aff.Mail	requested to file the I&A in this matter.	
Aff.Pub.		
Sp.Ntc.	Partial I&A No. 1 was filed 9/8/15.	
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt	_	
CI Report		
9202	<u> </u>	
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 9/11/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 11 - Smith
		11

12 Charles Hamilto Attorney De Goede, Dale A.

Charles Hamilton Soley (Estate) Case No. 15CEPR00218

De Goede, Dale A. (for Executor Alene Y. Soley)

Probate Status Hearing RE: Filing of the Inventory and Appraisal

	States realing RE. Filling of the invertion	
DOD: 12/17/14	ALENE Y. SOLEY, Surviving Spouse, was	NEEDS/PROBLEMS/COMMENTS:
	appointed Executor with Full IAEA	
	without bond and Letters issued on	CONTINUED TO 11/16/15
	4/15/15.	
		Per Order dated 8/13/15
Aff Code Will	At the hearing on 4/15/15, the Court set	
Aff.Sub.Wit.	this status hearing for the filing of the	
Verified	I&A.	
Inventory		
PTC		
Not.Cred.		
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 9/11/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 12 - Soley

Petitioner Bishop B. Brown (Pro Per Petitioner, brother)

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

	50		(Frod. C. 1820, 1821, 2880-2882)	NEEDS (DDODLEAG) (COAAAENTS
Ag	e: 50 years		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
	nt. from 04291	15,	BISHOP B. BROWN, brother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.	Court Investigator Advised Rights on 4/9/2015. Continued from 6/10/2015.
06	Aff.Sub.Wit.		NEED Capacity Declaration.	Minute Order states Mr. Brown requests a continuance to September in order to obtain
V	Inventory		Voting Rights NOT Affected	the Capacity Declaration.
	Cap. Dec.	Χ	Datt and a state of the second of	
	Not.Cred.		Petitioner states the proposed Conservartee suffers from mental illness	The following issues from the
✓	Notice of Hrg		and has not seen a doctor in over 3 to 4 years. Petitioner states the proposed	last hearing remain:
✓	Aff.Mail	W/	Conservatee was living on the streets up until November 2014, and he has been	Petition requests medical consent powers. Need
	Aff.Pub.		living with Petitioner since that time.	Medical Capacity
	Sp.Ntc.		Petitioner states in February 2015, Petitioner	Declaration (Judicial
✓	Pers.Serv.		took proposed Conservatee to a doctor appointment and when they got there, he	Council form GC-335) in support of Petitioner's
✓	Conf. Screen		did not want to sign the paperwork for his medical care. Petitioner states the	request pursuant to Probate Code § 1890(c).
✓	Letters		proposed Conservatee has no primary	
✓	Duties/Supp		doctor or medical insurance, and Petitioner is requesting to be conservator	
	Objections		due to his concerns for his brother's health	~Please see additional page~
	Video Receipt	Х	and safety.	
✓	CI Report		Court Investigator Samantha Henson's Report was filed on 4/22/2015.	
	9202			
✓	Order			
	Aff. Posting			Reviewed by: LEG
	Status Rpt			Reviewed on: 9/10/15
	UCCJEA			Updates:
✓	Citation			Recommendation:
	FTB Notice			File 13 - Brown

13 Additional Page, Jerome Tracy Brown (CONS/P) Case No. 15CEPR00277

NEEDS/PROBLEMS/COMMENTS, continued:

2. Need Conservatorship Video Viewing Certificate pursuant to Local Rule 7.15.9(A). Petitioner can visit the Court's website @ http://www.fresno.courts.ca.gov/Probate/conservatorship which provides a link to view the video and printable receipt for viewing by Petitioner that must be filed with the Court.

Charlotte Marie Inman (Estate) 14A

Case No. 15CEPR00279

Attorney Petty, Teresa B. (for Petitioner Linda L. Inman, daughter) Attorney

Bagdasarian, Gary G. (for Diana Inman, Objector/Competing Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 1/23/2015	=	ughter, is Petitioner and	NEEDS/PROBLEMS/COMMENTS:
requests appointment as Administrator with bond set at \$215,000.00.		<u>Page 14B</u> is the competing Petition for Letters of Administration filed by Diana Inman, daughter.	
Cont. from 042915, 061015, 080515 Aff.Sub.Wit.	Full IAEA —	OK	Note: Substitution of Attorney filed 8/25/2015 shows Attorney Gary Bagdasarian now represents Diana
√ Verified	Decedent died intes	state.	Inman, who was formerly self-represented.
Inventory PTC Not.Cred. ✓ Notice of Hrg	Residence — Publication —	Fresno Business Journal	Continued from 8/5/2015. Minute Order states parties agree to Bruce Bickel petitioning in this matter. If Mr. Bickel's petition is filed at least two
✓ Aff.Mail W/	Estimated value of the Real property	ne Estate: - \$215,000.00	court days prior to 9/16/2015, then that hearing will come off calendar and the competing petitions will be
Sp.Ntc.	Total	- \$215,000.00	moved to the date given to Mr. Bickel's petition.
Pers.Serv. Conf. Screen	Probate Referee:	Rick Smith	Decedent was under
✓ Letters	Contest of Appointm		Conservatorship of the Person and
✓ Duties/Supp	Representative filed 5/27/2015 states the	Petitioner, has been	Estate, with Linda Inman (formerly Hansen) and Diana Inman as Co-
√ Objections		mily for almost 40 years to realize how blind	Conservators appointed on 4/19/1991, Case #237515.
Video Receipt	·	tioner's lies and greed;	Accountings have been waived for the Conservatorship Estate
CI Report		and has violated her	since 5/26/1982, when only Linda
9202		iving pieces of jewelry	Inman was Conservator. Need final account and petition to close
√ Order	to their brother Ray, owner of those items		the Conservatorship Estate to be filed in Case 237515, from Linda Inman and Diana Inman as Co-Conservators of the Estate.
Aff. Posting	-rieuse see d	iddillollal page~	Reviewed by: LEG
Status Rpt	4		Reviewed on: 9/11/15
UCCJEA	_		Updates:
Citation FTB Notice	-		Recommendation: File 14A – Inman
TIDITORCE			144

14A First Additional Page, Charlotte Marie Inman (Estate) Case No. 15CEPR00279

Contest of Appointment of Personal Representative filed by Diana Inman on 5/27/2015, continued:

- The Petition doesn't even show the items listed on her "Inventory and Appraisal" originally filed with her conservatorship in 1981;
- Objector knows that these pieces still exist because Petitioner asked her in a phone conversation on 02/05/2015; nearly two weeks after their mother passed, Petitioner asked "so you, Ray & Carol know that there is some jewelry. Do we want to tell the state about it so they can tax us or not?" This shows how willing she is to commit tax fraud;
- There are other times Petitioner has violated ethical and moral limits; Petitioner has never had to have an accounting on their mother's estate, even though she states she couldn't do anything without the court's approval.
- She trusted Petitioner completely with her mother's care; Petitioner has not spoken to her since their mother's funeral; Petitioner said "all I have to do is keep mom alive for a few more years until I'm eligible for social security."
- At the one and only family meeting, everyone agreed to Petitioner not being the administrator, therefore Objector submits herself without the statutory fee to administer the estate and without a lawyer;
- It is such a small estate this causes her to question Petitioner's need for a lawyer and finds her posture in this case suspect.

Contestant Diana Inman prays that the court deny Petitioner's petition for appointment as administrator of the Estate of Charlotte Marie Inman, and for issuance of letters of administration.

Opposition to Diana Inman's Contest of Appointment of Personal Representative was filed by Linda Inman on 6/9/2015.

Supplement to Contest of Appointment of Personal Representative and Response to Opposition was filed by Diana Inman on 7/15/2015.

Opposition to Diana Inman's Petition for Appointment as Personal Representative was filed by Linda Inman on 7/30/2015.

Supplement to Contest of Appointment of Personal Representative, Response to Opposition, and Request for Waiver of Publication or Continuance of Hearing was filed by Diana Inman on 7/31/2015.

Note: If the *Petition is granted, Court will set status hearings as follows:*

- Thursday, October 22, 2015 at 9:00 a.m. in Dept. 303 for filing proof of bond;
- Thursday, February 25, 2016 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and
- Thursday, November 17, 2016 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

14B Charlotte Marie Inman (Estate)

Case No. 15CEPR00279

Attorney Petty, Teresa B. (for Petitioner Linda L. Inman, daughter)

Attorney Bagdasarian, Gary G. (for Diana Inman, Objector/Competing Petitioner)

Petition for Letters of Administration with IAEA

DOD: 1/02/0015 DIAMA INMANU devicibles is Detition of Authinistication with IAEA			
	DD: 1/23/2015	DIANA INMAN , daughter, is Petitioner	NEEDS/PROBLEMS/COMMENTS:
		and requests appointment as Administrator with bond set at \$215,000.00.	Note : Substitution of Attorney filed 8/25/2015 shows Attorney Gary
Co	ont. from 080515 Aff.Sub.Wit.	= = 	Bagdasarian now represents Diana Inman, who was formerly self- represented.
✓	Verified	Full IAEA — Need publication	Continued from 8/5/2015. Minute Order states parties agree to Bruce
	PTC PTC	Decedent died intestate.	Bickel petitioning in this matter. If Mr. Bickel's petition is filed at least two
	Not.Cred. Notice of Hrg	Residence — Fresno Publication — Need publication	court days prior to 9/16/2015, then that hearing will come off calendar and the competing petitions will be
	Aff.Mail X Aff.Pub. X	=	moved to the date given to Mr. Bickel's petition.
	Sp.Ntc.	Estimated value of the Estate:	2. Decedent was under
	Pers.Serv.	Real property - \$215,000.00	Decedent was under Conservatorship of the Person and
	Conf. Screen	Total - \$215,000.00	Estate, with Linda Inman (formerly Hansen) and Diana Inman as Co-
✓	Letters		Conservators appointed on
✓	Duties/Supp	Probate Referee: Rick Smith	4/19/1991, Case #237515. Accountings have been waived
	Objections		for the Conservatorship Estate since 5/26/1982, when only Linda
	Video Receipt		Inman was Conservator. Need final account and petition to close
	CI Report		the Conservatorship Estate to be
	9202		filed <u>in Case 237515</u> , from Linda
✓	Order		Inman and Diana Inman as Co- Conservators of the Estate.
			~Please see additional page~
	Aff. Posting		Reviewed by: LEG
	Status Rpt	1	Reviewed on: 9/11/15
	UCCJEA	4	Updates:
	Citation	4	Recommendation:
	FTB Notice		File 14B – Inman

14B Additional Page, Charlotte Marie Inman (Estate)

Case No. 15CEPR00279

NEEDS/PROBLEMS/COMMENTS, continued:

The following issues from the last hearing remain:

- 3. Need Notice of Petition to Administer Estate and proof of mailed notice pursuant to Probate Code § 8110 for all the persons listed in Item 8 of the Petition.
- 4. Need Affidavit of Publication pursuant to Probate Code §§ 8120 8124, and Local Rule 7.9.

Note: If the Petition is granted, Court will set status hearings as follows:

- Thursday, October 22, 2015 at 9:00 a.m. in Dept. 303 for filing proof of bond or deposit in blocked account;
- Thursday, February 25, 2016 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and
- Thursday, November 17, 2016 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

15A Attorney Petitioner

Ariel Wagner (GUARD/P)

Case No. 15CEPR00511

Kharazi, H. Ty (for Kathy and Ronald Robinson – Paternal Grandparents – Petitioners)

Rose, Emanuel and Betty (Pro Per – Maternal Grandparents – Competing Petitioners)

Petition for Appointment of Guardian of the Person (Prob. Code §1510)

	See petition for details.	NEEDS/PROBLEMS/ COMMENTS:
		COMMENTS:
		Minute Order 5/26/15: Mr.
		and Mrs. Rose will be filing a
Cont. from 071515		competing petition, and
Aff.Sub.Wit.		counsel states that upon
		approval of that petitions,
Verilled		his clients will withdraw their
Inventory		petition. Temporary
PTC		guardianship is granted to
Not.Cred.		the Robinsons today with
✓ Notice of		the understanding that the
Hrg		child will be residing in the Roses' home. The Court
✓ Aff.Mail W		orders that there be no
Aff.Pub.		unsupervised visits for either
Sp.Ntc.		parent.
Pers.Serv. X		4 16 11 2 12 12 12 12 12 12 12 12 12 12 12 1
✓ Conf.		1. If this petition goes
Screen		forward, need proof of personal service of
✓ Letters		Notice of Hearing with a
✓ Duties/Supp		copy of the petition at
Objections		least 15 days prior to the
Video		hearing per Probate
Receipt		Code §1511 on:
CI Report X		- Chambrosia Stevens-
		Wagner (Mother)
✓ Order	=	Note: Petitioners filed a
		declaration of due
		diligence; however, the
		petition states she is
		known to be
		incarcerated in the LA
		County Jail.
A# Dooling		Payious d by a ske
Aff. Posting		Reviewed by: skc
Status Rpt V UCCJEA		Reviewed on: 9/11/15 Updates:
Citation		Recommendation:
FTB Notice		File 15A - Wagner
FIB NOTICE		The ISA - Wugher

15A

15B Attorney Petitioner

Ariel Wagner (GUARD/P)

Case No. 15CEPR00511

Kharazi, H. Ty (for Kathy and Ronald Robinson – Paternal Grandparents – Petitioners)

Rose, Emanuel and Betty (Pro Per – Maternal Grandparents – Competing Petitioners)

Petition for Appointment of Guardian of the Person (Prob. Code §1510)

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:
Coi	nt. from 071515 Aff.Sub.Wit.	= = =	Note: The minor is currently residing with Petitioners in Llano, California, which is Los Angeles County per UCCJEA filed 6/5/15.
	Inventory PTC	= = =	Need Confidential Guardian Screening Form (GC-212) for both petitioners Emmanuel Rose and Betty Rose.
>	Not.Cred. Notice of Hrg Aff.Mail × Aff.Pub. Sp.Ntc. Pers.Serv. × Conf. × Screen	=	 Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on: Chambrosia Stevens-Wagner (Mother) Joseph Grant Robinson (Father)
>	Duties/Supp Objections Video Receipt CI Report × Clearances X	= = = = =	3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on: - Ronald Robinson (Paternal Grandfather) - Kathy Robinson (Paternal Grandmother)
>	Order		Note: Petitioners mailed service to the Robinsons' attorney, H. Ty Kharazi, on 6/4/15; however, direct notice is required on the relatives of the child in addition to service on counsel pursuant to Probate Code §§ 1511, 1214, Cal. Rule of Court 7.51.
	Aff. Posting	<u> </u>	Reviewed by: skc
	Status Rpt		Reviewed on: 9/11/15
~	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 15B - Wagner

Jean Walters (CONS/PE) 17

Case No. 15CEPR00545

Attorney Attorney

Kruthers, Heather H. (for Public Guardian – Petitioner)
Teixeira, J. Stanley (Court appointed for proposed Conservatee)

Petty, Teresa B., in association with Horton, Lisa M. (for Robert Renovato – Objector) Attorney

Petition for Appointment of Probate Conservator of the Person and Estate

	See petition for details.	NEEDS/PROBLEMS/ COMMENTS:
Cont from 070115, 072915 Aff.Sub.Wit.		CONTINUED TO 9/24/15 Per Minute Order 7/29/15, to meet up with new petition filed by Kenneth A Kearns. Letters to Public Guardian also extended to 9/24/15.
Inventory PTC Not.Cred.		Court Investigator advised rights on 6/19/15
✓ Notice of Hrg		Voting rights affected – need minute order
Aff.Mail w		Notice was filed 6/22/15 by
Sp.Ntc. Yers.Serv. W Conf.		interested person Kathy Walters of Woodland Hills, CA, by her attorney, Christopher E.
Screen Letters		Overgaard of Glendale, CA. Kathryn Walters is Ms. Walters'
Duties/Supp Objections		niece and conservator of Ms. Walters' brother Robert Walters.
Video Receipt		
CI Report		
✓ Order Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 9/11/15
UCCJEA ✓ Citation		Updates: Recommendation:
FTB Notice		File 17A – Walters

17

Attorney

Hubbell, Marlene A. (for Petitioner Steven L. Chavez, Trustee)

Petition Seeking Order(s) Passing on Act(s) of Attorney-in-Fact, and/or Disobeying Principal's Instruction(s), and/or Affirming Real Property Title Passing by Non-Probate Transfer

	Paul Moreno DOD: 6/27/2010				
Co	ont. from 08191	15			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
√	Aff.Mail	W/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf.				
	Screen				
	Letters				
	Duties/Supp				
	Objections				
	Video				
	Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				

STEVEN L. CHAVEZ, son and Trustee, is Petitioner.

Petitioner states:

- Petitioner is the Trustee of the MORENO FAMILY GRANTOR TRUST established 7/23/2014 by Trustor FIDELA M. MORENO, widow of PAUL C. MORENO (copy of Trust attached as Exhibit A);
- On 9/16/2009, Fidela was appointed as Attorneyin-Fact for Paul under a Durable Power of Attorney
 General (copy of POA attached as Exhibit B);
- This Petition concerns real property located on Cardinal Lane in Squaw Valley, title to ½ of which is recorded in Petitioner's name, but the chain of title has been questioned and the property cannot be sold or otherwise transferred by Petitioner without seeking appropriate orders from this Court;
- EDDIE LOPEZ and YOLANDA LOPEZ are co-owners of a ½ interest in the property and desire to purchase the ½ interest held by Petitioner;
- Petitioner seeks orders which affirm and establish title to the ½ interest in the property held by Petitioner;
- Petitioner also seeks orders which pass on the acts of Fidela M. Moreno as Attorney-in-Fact for her former spouse Paul C. Moreno in effecting inter vivos transfer of his joint tenancy interest in the property to herself, including approval (if necessary) to disobey the principal's instructions pursuant to Probate Code § 4234(b);
- In the alternative, if the acts of Fidela M. Moreno as Attorney-in-Fact are not approved, then Petitioner seeks orders to affirm and establish Fidela M. Moreno's ½ title interest in the property as passing by way of joint tenancy non-probate transfer to her as the surviving joint tenant;

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Continued from 8/19/2015. Minute Order states Counsel lodges an order in open court. The Court indicates it is inclined not to grant the request. Ms. Hubbell represents that she will file an amended petition; 9/16/2015 hearing will come off calendar if said amended petition is filed.

Note: Case file contains 3 alternative proposed orders: (1) passing on the acts of Fidela Moreno as Attorney-in-Fact and affirming the transfer of title to the real property; or (2) only affirming transfer of title to Fidela Moreno as a valid non-probate transfer; or (3) denying the petition without prejudice.

~Please see additional page~

Reviewed by: LEG
Reviewed on: 9/11/15

Updates:

Recommendation:

File 19 – Moreno

19 First Additional Page Moreno Family Grantor Trust Case No. 15CEPR00663

Petitioner states, continued:

- The written Power of Attorney appointing Fidela grants broad authority to grant, transfer or convey real property; the Power of Attorney does not contain an express grant of authority for the Attorney-in-Fact to give gifts to him or herself [language citations omitted];
- On 4/8/1981, Paul and Fidela acquired by Grant Deed an undivided ½ interest in the subject property as "husband and wife as joint tenants" (copy of Grant Deed attached as Exhibit D);
- Since 2009, the property has remained unoccupied and has not produced any income;
- On 12/3/2009, Fidela transferred by Grant Deed both her and Paul's joint tenancy interests in the property to Fidela "as her sole and separate property," executing the Grant Deed acting as the Attorney-in-Fact for Paul (copy of Grant Deed attached as Exhibit E);
- This transfer broke the joint tenancy in which the property had been held;
- The 12/3/2009 Grant Deed cannot be cancelled, rescinded or set aside in the chain of title;
 absent a showing of fraud, a deed cannot be set aside and any complaining party's sole remedy is an action to recover damages;
- There are no known allegations of fraud related to the 12/3/2009 Grant Deed by anyone who has
 or may have an interest in the portion of the property in question;
- The 12/3/2009 Grant Deed recites the transfer was "out of love and affection," which qualifies as adequate consideration, constituting "good consideration" in transfers by deed;
- Had the 12/3/2009 transfer of Paul's undivided interest in the property not taken place, the
 property interest would have transferred to Fidela upon Paul's death by operation of law, from
 deceased joint tenant to the surviving joint tenant, Fidela;
- On 12/3/2009, Fidela next transferred by Grant Deed her sole and separate interest in the property to Fidela as Trustee of the FIDELA M. MORENO LIVING TRUST (copy of Grant Deed attached as Exhibit F);
- On 7/23/2014, Fidela as Trustee of Fidela's Trust transferred the property to Fidela M. Moreno, a widow (copy of Grant Deed attached as Exhibit G);
- On 7/24/2014, Fidela, a widow, transferred an undivided 1/8th interest in the property to Petitioner
 in his capacity as Trustee of the MORENO FAMILY GRANTOR TRUST (copy of Grant Deed attached
 as Exhibit H);
- On 7/25/2014, Fidela, a widow, transferred an undivided 1/8th interest in the property to Petitioner
 in his capacity as Trustee of the MORENO FAMILY GRANTOR TRUST (copy of Grant Deed attached
 as Exhibit I);
- On 7/26/2014, Fidela, a widow, transferred an undivided 1/8th interest in the property to Petitioner
 in his capacity as Trustee of the MORENO FAMILY GRANTOR TRUST (copy of Grant Deed attached
 as Exhibit J);
- On 7/28/2014, Fidela, a widow, transferred an undivided 1/8th interest in the property to Petitioner
 in his capacity as Trustee of the MORENO FAMILY GRANTOR TRUST (copy of Grant Deed attached
 as Exhibit K);
- These 4 transfers of 1/8 interest each, were made for the purpose of divesting Fidela of any
 interest in assets or their value, which would disqualify her from receiving Medi-Cal benefits, for
 which she subsequently applied, received, and continues presently to receive and rely on to her
 benefit;
- Per Probate Code § 4231.5(b) [text omitted], since the only "liability" which could arise from the
 12/3/2009 act of Fidela in her capacity as Attorney-in-Fact would be liability to herself as the joint
 surviving tenant, Petitioner asks the Court to find that Fidela acted reasonably and in good faith
 under the circumstances known only to her and excuse any "liability" she may have as an agent
 to herself as a surviving joint tenant;

~Please see additional page~

19 Second Additional Page Moreno Family Grantor Trust Case No. 15CEPR00663

Petitioner states, continued:

- Petitioner asks the Court find that Fidela was not in violation of her fiduciary duties with regards to the 12/3/2009 Grant Deed, whereas Paul Moreno's interest would have nonetheless transferred to her by operation of law upon his death;
- With Court approval, the attorney-in-fact may disobey instructions of the principal (Probate Code § 4234(b); Petitioner asks the Court to approve the 12/3/2009 transfer of interest in the property to herself as an individual despite that no such express authority appears in or was given as an authorizing instruction in the Power of Attorney;
- Petitioner holds record title to a ½ interest in the property and desires to sell the property interest to
 co-owners, EDDIE LOPEZ and YOLANDA LOPEZ, who desire to purchase the property at a
 previously-appraised and mutually agreed-upon value;
- However, the title company presently holding an open escrow refuses to issue a policy of title
 insurance to the Lopez buyers without a Court order addressing the 12/3/2009 transfer by
 Attorney-in-Fact Fidela Moreno, contending the transfer appears "self-interested";
- A separate proceeding was commenced on 2/3/2015 by co-owners Eddie Lopez and Yolanda Lopez (15CECG00356) which does not seek to quiet title to the property but only seeks judicial determination of the validity of the 12/3/2009 Grant Deed, Partition by Sale of the Subject Property and a "determination of the interests according to the respective rights of the parties" (see Request for Judicial Notice filed 7/8/2015);
- Co-owners Eddie Lopez and Yolanda Lopez are not requesting abatement of this Petition pursuant to Probate Code § 854 and protracted litigation is unnecessary, with the Petition presenting as the most economical and expedient means of resolution of the transfer in question.

Petitioner requests an Order:

- 1. Passing on the acts of and affirming Fidela Moreno's 12/3/2009 transfer of Paul Moreno's interest in the property to Fidela Moreno by the power vested in her as Attorney-in-Fact for Paul Moreno, finding that Fidela Moreno acted reasonably and in good faith under the circumstances known only to her and is excused from any liability she may have as an agent;
- 2. Finding that Fidela Moreno was not in violation of her fiduciary duties as Attorney-in-Fact for Paul Moreno with regards to the 12/3/2009 Grant Deed executed by her as his Attorney-in-Fact;
- 3. Passing on the acts of and affirming Fidela Moreno's 12/3/2009 transfer of Paul Moreno's interest in the property to Fidela Moreno despite that this power was not expressly provided for in, or which was in disobeyance of instructions in, the durable Power of Attorney General executed by Paul Moreno: and
- 4. Affirming Fidela Moreno's title as the surviving joint tenant to the portion of the property held by Paul Moreno upon his death as a valid non-probate transfer of title.

NEEDS/PROBLEMS/COMMENTS, continued:

- 1. Pursuant to Probate Code § 17201, Petition does not but should state the names and addresses of each trust beneficiary and all persons entitled to notice of the Petition. Proof of Service by Mail filed 7/8/2015 shows service was made on 7/8/2015 to 5 persons whose names should be identified in the Petition, and to Attorney ROBERT C. ABRAMS.
- 2. Petition explains that the 4 transfers of 1/8 interest each in the real property were made for the purpose of divesting Fidela of any interest in assets or their value, which would disqualify her from receiving Medi-Cal benefits. The explanation for the close succession of transfers made to avoid disqualifying Fidela Moreno from Medi-Cal benefits does not provide adequate explanation for future recoupment by Medi-Cal.